



SYNOPSIS

Prefiled House Bills and Joint Resolutions
2015 Maryland General Assembly Session

January 14, 2015
Schedule 1

PLEASE NOTE: The following legislation was prefiled for the 2015 Session.

HOUSE BILLS INTRODUCED JANUARY 14, 2015

HB 1 Delegate Glenn

HIGHER EDUCATION – HATTIE N. HARRISON MEMORIAL
SCHOLARSHIP – ESTABLISHMENT

Altering the workforce shortage fields eligible for a Workforce Shortage Student Assistance grant to include school counselors under specified circumstances; and naming a specified grant to be the Hattie N. Harrison Memorial Scholarship.

EFFECTIVE OCTOBER 1, 2015

ED, § 18-708(e)(5) - amended

Assigned to: Ways and Means

Department of Legislative Services

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HB 2 Delegate Stein**INCOME TAX CREDIT – PRESERVATION AND CONSERVATION EASEMENTS**

Altering specified provisions of law concerning a credit against the State income tax for preservation and conservation easements to allow specified persons to claim the credit for an easement conveyed to the Maryland Environmental Trust, the Maryland Agricultural Land Preservation Foundation, or the Department of Natural Resources under specified circumstances; requiring the Maryland Environmental Trust to report on the effectiveness of the tax credits to the General Assembly on or before December 1, 2017, etc.

EFFECTIVE JULY 1, 2015

TG, § 10-723 - amended

Assigned to: Ways and Means

HB 3 Delegate Schulz**PRESCRIPTION DRUG MONITORING PROGRAM – PRESCRIBERS AND DISPENSERS – REQUIRED QUERY**

Requiring specified regulations for the Prescription Drug Monitoring Program to require a prescriber and a dispenser to query the Program before prescribing or dispensing a monitored prescription drug to a patient; requiring, except under specified circumstances, a prescriber and a dispenser to query the Program for a specified purpose before prescribing or dispensing a monitored prescription drug to a patient; making a prescriber or dispenser who violates the Act subject to disciplinary action; etc.

EFFECTIVE OCTOBER 1, 2015

HG, §§ 21-2A-04, 21-2A-08(b), and 21-2A-09 - amended and § 21-2A-04.1 - added

Assigned to: Health and Government Operations

HB 4 Delegate Glenn**MARYLAND WAGE AND HOUR LAW – STATE MINIMUM WAGE RATE – INCREASE**

Increasing the State minimum wage rate to \$10.10 per hour; repealing specified provisions of law establishing a phase-in of specified increases in the minimum wage rate; providing specified exemptions to the Act's minimum wage requirement; etc.

EFFECTIVE JULY 1, 2015

LE, § 3-413 - amended

Assigned to: Economic Matters

HB 5 Delegate O'Donnell**DEPARTMENT OF HEALTH AND MENTAL HYGIENE – NEWBORN SCREENING PROGRAM FUND – ESTABLISHMENT**

Establishing the Newborn Screening Program Fund; requiring the Secretary of Health and Mental Hygiene to administer the Fund; providing for the uses, purposes, sources of funding, investment of money, and auditing of the Fund; providing that the Fund is a continuing, nonlapsing fund; requiring the Secretary to pay specified fees to the Comptroller; requiring the Comptroller to distribute the specified fees to the Newborn Screening Program Fund; making the Act an emergency measure; etc.

EMERGENCY BILL

HG, §§ 13-111(f) and 13-113 - added

Assigned to: Health and Government Operations

HB 6 Delegate Glenn**FAMILY LAW – UNATTENDED CHILD UNDER THE AGE OF 3 YEARS**

Prohibiting a person who is charged with the care of a child under the age of 3 years from allowing the child to be locked or confined in a dwelling, a building, an enclosure, or a motor vehicle out of the sight of the person charged unless the person charged with care provides a reliable person at least 15 years old to remain with the child to protect the child; provides a penalty not to exceed \$500 or imprisonment not to exceed 30 days, or both, for violations of the Act; and making the Act an emergency measure.

EMERGENCY BILL

FL, § 5-801 - amended

Assigned to: Judiciary

HB 7 Delegate Sophocleus**FAMILY LAW – CHILD ABUSE AND NEGLECT – EXPUNGEMENT OF REPORTS AND RECORDS – TIME PERIOD**

Requiring a local department of social services to maintain specified reports of suspected abuse or neglect and all assessments and investigative findings for specified periods of time for the purpose of determining whether a pattern exists; and increasing the time period after which a local department is required to expunge specified reports and records of suspected child abuse and neglect.

EFFECTIVE OCTOBER 1, 2015

FL, § 5-707 - amended

Assigned to: Judiciary

HB 8 Delegate Rosenberg**UNIFORM ACT TO SECURE THE ATTENDANCE OF WITNESSES
FROM WITHOUT THE STATE IN CRIMINAL PROCEEDINGS – NEWS
MEDIA PRIVILEGE**

Prohibiting a judge from issuing a summons directing a witness to attend and testify in court outside the State if the witness is a specified member of the news media and the judge finds the laws of the state in which the prosecution is pending regarding privileged communications with the news media do not protect the witness in a way similar to those provided in Maryland and the likelihood exists that the witness will be directed to disclose the name of a confidential source or be held in contempt of court.

EFFECTIVE OCTOBER 1, 2015

CJ, § 9-302 - amended

Assigned to: Judiciary

HB 9 Delegate Kelly**MARYLAND HOME BIRTH SAFETY ACT**

Establishing a licensing and regulatory system for the practice of direct–entry midwifery under the State Board of Nursing; establishing the Direct–Entry Midwifery Advisory Committee; requiring the Board to set fees for the issuance and renewal of licenses; requiring continuing education, peer review, and data submission as a condition of license renewal; providing specified health care providers with specified immunity from civil liability; defining specified terms; subjecting the Act to the Maryland Program Evaluation Act; etc.

EFFECTIVE JUNE 1, 2015

HO, Various Sections - amended and added and SG, § 8-405(b)(3) - amended

Assigned to: Health and Government Operations

HB 10 Delegate Jones**INSTITUTIONS OF HIGHER EDUCATION – FULLY ONLINE DISTANCE EDUCATION – DEFINITION**

Altering the definition of “fully online distance education program” to mean a program, originating outside the State, offered by an out-of-state institution in which a student domiciled in Maryland enrolls; 51% or more of the program is offered through electronic distribution; and the Commission determines that the portion of the program offered at a location in the State, if any, does not require a specified certificate of approval; etc.

EFFECTIVE OCTOBER 1, 2015

ED, § 11-202.2 - amended

Assigned to: Appropriations

HB 11 Delegate O'Donnell**EDWARD T. CONROY AND JEAN B. CRYOR MEMORIAL SCHOLARSHIP PROGRAMS – ELIGIBILITY**

Altering the eligibility requirements for the Edward T. Conroy and Jean B. Cryor Memorial Scholarship Programs to include the stepchildren of specified individuals who are at least 16 years of age.

EFFECTIVE JUNE 1, 2015

ED, § 18-601(d) - amended

Assigned to: Ways and Means

HB 12 Delegate Cluster**WORKERS' COMPENSATION – BALTIMORE COUNTY DEPUTY SHERIFF**

Altering a specified definition of “public safety employee” to include a deputy sheriff in Baltimore County for purposes of providing enhanced compensation benefits under the Workers' Compensation Law for a compensable permanent partial disability of less than a specified number of weeks under specified circumstances; and providing the Act be applied prospectively.

EFFECTIVE OCTOBER 1, 2015

LE, § 9-628(a) - amended

Assigned to: Economic Matters

HB 13 Delegate Schulz**REGULATED FIREARMS – LICENSED DEALER OR SECONDARY SELLER – NATIONAL INSTANT CRIMINAL BACKGROUND (NICS) CHECK**

Authorizing a specified licensed firearms dealer or secondary seller to conditionally sell, rent, or transfer a firearm to a firearm applicant under specified circumstances; prohibiting a licensee or secondary seller from selling, renting, or transferring a firearm under specified circumstances; requiring a licensee or secondary seller to notify a firearms applicant that an application has been approved or disapproved; requiring the firearms applicant to return a firearm within 10 days of notice of disapproval; etc.

EFFECTIVE OCTOBER 1, 2015

PS, § 5-124.1 - added

Assigned to: Judiciary

HB 14 Delegate O'Donnell**HUNTING LICENSES – EXEMPTION FOR RETIRED MEMBERS OF THE ARMED FORCES**

Creating an exemption for a person who is a retired former member of the armed forces of the United States from the requirement to obtain a hunting license under specified circumstances; providing that the exemption applies only to hunting on specified farmland that is under specified ownership; and requiring a person who hunts under the exemption to possess a retired–military identification card, written permission to hunt during a specified time period from the property owner, and any required hunting stamps.

EFFECTIVE JUNE 1, 2015

NR, § 10-301(c) - amended

Assigned to: Environmental Matters

HB 15 Delegate McConkey**MARYLAND TRANSPORTATION AUTHORITY – CHESAPEAKE BAY BRIDGE – TOLL COLLECTION**

Requiring the Maryland Transportation Authority to implement a procedure at the William Preston Lane, Jr. Memorial Chesapeake Bay Bridge by July 1, 2024, that requires that all tolls be paid by an electronic means that allows vehicles to pass through the toll plaza without stopping at a toll booth except for a single “cash only” lane that the Authority may provide for the payment of tolls in cash.

EFFECTIVE JULY 1, 2015

TR, § 4-406 - added

Assigned to: Environmental Matters

HB 16 Delegate Glenn**VEHICLE LAWS – BALTIMORE CITY – PROHIBITION ON SALE OF UNLAWFUL VEHICLES**

Prohibiting, in Baltimore City, a person from selling or offering for sale any vehicle that is prohibited from use in Baltimore City under any State or local law; and establishing a penalty of imprisonment not to exceed 60 days or a fine not to exceed \$2,000 or both for violation of the Act.

EFFECTIVE OCTOBER 1, 2015

TR, § 15-112.1 - added

Assigned to: Judiciary

HB 17 Delegate McConkey**STATE REAL ESTATE COMMISSION – CONTINUING EDUCATION – COMPARATIVE LAW COURSE**

Altering the number of clock hours of continuing education instruction a licensee must complete to qualify for renewal of a license to provide real estate brokerage services; requiring specified licensees to take a course that outlines real estate laws in neighboring states as a condition of license renewal on or after January 1, 2017; etc.

EFFECTIVE OCTOBER 1, 2015

BOP, § 17-315(a)(1) and (b) - amended

Assigned to: Economic Matters

HB 18 Delegate Cluster**BALTIMORE COUNTY – SUNDAY HUNTING**

Repealing a specified restriction on Sunday deer hunting in Baltimore County; and authorizing the Department of Natural Resources to allow a person in Baltimore County to hunt any game bird or game mammal, except migratory game birds and wetland game birds, on a Sunday during the open season for that game bird or game mammal on private land.

EFFECTIVE JULY 1, 2015

NR, § 10-410(a) - amended

Assigned to: Environmental Matters

HB 19 Delegate Glenn**TRUANT STUDENTS – SYSTEM OF ACTIVE INTERVENTION – REQUIREMENTS**

Requiring the system of active intervention for specified truant students developed by each county board of education to include an Individualized Reengagement Plan for each truant student, coordination and collaboration with State and municipal agencies to deliver services, creation of a database to track truant students, and a specific plan for each public school to reengage truant students; requiring the Individualized Reengagement Plan to be developed by specified individuals using a specified process; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2015

ED, § 7-302.2 - amended

Assigned to: Ways and Means

HB 20 Delegate Glenn**CRIMES – ELDER ABUSE OR NEGLECT – INCREASED PENALTIES**

Increasing from 10 to 20 years the maximum imprisonment and from \$10,000 to \$20,000 the maximum fine or both for the crime of causing abuse or neglect of a vulnerable adult in the first or second degree.

EFFECTIVE OCTOBER 1, 2015

CR, §§ 3-604(c) and 3-605(c) - amended

Assigned to: Judiciary

HB 21 Delegate Schulz**PUBLIC SAFETY – HANDGUN QUALIFICATION LICENSE – QUALIFIED HANDGUN INSTRUCTORS AND PERMIT HOLDERS**

Establishing that specified provisions relating to a handgun qualification license do not apply to a qualified handgun instructor; establishing that a person may purchase, rent, or receive a handgun without a handgun qualification license if the person is a qualified handgun instructor and is not otherwise prohibited under State or federal law; and requiring the Secretary of State Police to issue a handgun qualification license to a specified person who meets the requirements for a permit to carry, wear, or transport a handgun.

EFFECTIVE OCTOBER 1, 2015

PS, §§ 5-117.1(a) and (c) and 5-306(d) - amended

Assigned to: Judiciary

HB 22 Delegate Schulz**EDUCATION – PRIVACY OF EDUCATION RECORDS AND PERSONAL INFORMATION OF STUDENTS**

Authorizing the State Department of Education, the State Board of Education, a county board of education, a local school system, a primary school, or a secondary school to collect or disclose the education records or personally identifiable information contained in the education records of a student only as necessary or required for specified purposes; prohibiting a person from requiring a specified student, without prior written consent, to submit to a survey, an analysis, or an evaluation that reveals specified information; etc.

EFFECTIVE JULY 1, 2015

ED, §§ 7-1701 through 7-1706 - added

Assigned to: Ways and Means

HB 23 Delegate Glenn**CRIMINAL PROCEDURE – VULNERABLE ADULT ABUSE REGISTRY**

Establishing a vulnerable adult abuse registry; requiring the Department of Health and Mental Hygiene to establish and maintain a registry containing the names of specified individuals; requiring that names and information contained in the registry be available for public inspection; authorizing the Department to discharge specified responsibilities in a specified manner; requiring a State agency that makes a specified finding to notify the Department in a specified manner; etc.

EFFECTIVE OCTOBER 1, 2015

CP, §§ 11-1101 through 11-1105 - added

Assigned to: Judiciary

HB 24 Delegate McConkey**ESTATES AND TRUSTS – ALLOWANCE FOR FUNERAL EXPENSES**

Increasing from \$10,000 to \$20,000 the maximum amount that a court may allow for funeral expenses for estates valued at greater than \$50,000; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2015

ET, § 8-106 - amended

Assigned to: Health and Government Operations

HB 25 Delegate Schulz**PUBLIC SAFETY – ASSAULT WEAPONS – REPLACEMENTS**

Authorizing a person to replace a lost or broken assault weapon that was lawfully possessed in accordance with specified provisions of law if the replacement is registered with the Secretary of State Police.

EFFECTIVE OCTOBER 1, 2015

CR, § 4-303 - amended

Assigned to: Judiciary

HB 26 Delegate A. Miller**CLEAN INDOOR AIR ACT – USE OF ELECTRONIC SMOKING DEVICES – PROHIBITION**

Altering the definition of “smoking” for purposes of the Clean Indoor Air Act to include the use of an electronic smoking device; defining “electronic smoking device” as an electronic device that can be used to deliver nicotine or other substances to the individual inhaling from the device; including in the definition of “electronic smoking device” an electronic cigarette, cigar, cigarillo, or pipe; etc.

EFFECTIVE OCTOBER 1, 2015

HG, §§ 24-501 through 24-503, 24-507, and 24-510 - amended

Assigned to: Economic Matters

HB 27 Delegate McConkey**TASK FORCE ON THE DISPOSITION OF THE CROWNSVILLE HOSPITAL CENTER PROPERTY**

Establishing the Task Force on the Disposition of the Crownsville Hospital Center Property; providing for the composition, chair, and staffing of the Task Force; requiring the Task Force to study and make recommendations regarding the sale, transfer, or other disposition of the Crownsville Hospital Center property; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before January 1, 2016; etc.

EFFECTIVE JULY 1, 2015

Assigned to: Environmental Matters

HB 28 Delegate Cluster**PRIMARY AND SECONDARY EDUCATION – SECURITY – SCHOOL RESOURCE OFFICERS**

Requiring that at least one school resource officer be assigned to each public school in the State; requiring specified public schools to hire retired law enforcement officers as school resource officers for the school; requiring specified school resource officers to obtain a special police officer commission issued by the Department of State Police; requiring the county superintendent to submit an application to the Secretary of State Police for a special police commission for each school resource officer hired; etc.

EFFECTIVE JULY 1, 2015

ED, §§ 7-437 and 7-1701 through 7-1705 - added and ED, § 26-102 and SG, § 9-1A-30 - amended

Assigned to: Ways and Means

HB 29 Delegate Schulz**ELECTION LAW – VOTER REGISTRATION AND ABSENTEE VOTING – PROOF OF CITIZENSHIP**

Requiring individuals who apply to register to vote after June 30, 2015, to submit proof of United States citizenship; providing that individuals who are not citizens of the United States are not qualified to be registered voters; requiring an applicant for voter registration to submit specified documents or information to prove United States citizenship; etc.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2015

EL, §§ 3-102, 3-202, 3-501, and 9-305 - amended and § 3-103 - added

Assigned to: Ways and Means

HB 30 Delegate Schulz**FREDERICK COUNTY PUBLIC CHARTER SCHOOL PROGRAM – ESTABLISHMENT**

Establishing the Frederick County Public Charter School Program; establishing the Frederick County Public Charter School Board; authorizing an applicant for a specified charter in Frederick County to apply under the Maryland Public Charter School Program or the Frederick County Public Charter School Program; granting the County Council of Frederick County public chartering authority for granting specified charters under specified circumstances; etc.

EFFECTIVE JULY 1, 2015

ED, SG, and SP, Various Sections - amended and ED, §§ 9-301 through 9-313 and SP, Various Sections - added

Assigned to: Ways and Means

HB 31 Delegate Glenn**CRIMES – ELDER ABUSE OR NEGLECT – RESTRICTIONS ON PRETRIAL RELEASE**

Prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with causing abuse or neglect of a vulnerable adult in the first or second degree; providing that a judge may authorize the pretrial release of the defendant on specified conditions; requiring the judge to order the continued detention of the defendant if neither suitable bail nor other conditions will reasonably ensure that the defendant will not flee or pose a danger to a specified person or the community before trial; etc.

EFFECTIVE OCTOBER 1, 2015

CP, § 5-202(h) - added

Assigned to: Judiciary

HB 32 Delegate Schulz**CRIMINAL PROCEDURE – BAIL BONDS – MINIMUM**

Providing that a surety may not provide a bail bond to a defendant in circuit court or the District Court for less than 10% of the penalty amount of the bond.

EFFECTIVE OCTOBER 1, 2015

CP, §§ 5-203 and 5-205 - amended

Assigned to: Judiciary

HB 33 Delegate Vitale**HOUSING AND COMMUNITY DEVELOPMENT – COMMUNITY DEVELOPMENT PROJECTS AND PUBLIC PURPOSE PROJECTS**

Requiring the Community Development Administration to get approval of the land use for a community development project or a public purpose project by the appropriate governing body of the political subdivision in which a proposed community development project or a public purpose project is located in a specified manner; requiring the Administration to provide notice and an opportunity to comment to the appropriate governing body rather than to specified officials; etc.

EFFECTIVE OCTOBER 1, 2015

HS, § 4-213 - amended

Assigned to: Environmental Matters

HB 34 Delegate Schulz**EDUCATION – IMPLEMENTATION OF THE COMMON CORE STATE STANDARDS – PROHIBITION**

Prohibiting the State Board of Education and specified county boards of education from establishing specified educational policies, curriculum, and guidelines that include or are based on the Common Core State Standards; prohibiting the State Board from entering into any agreements or joining any organizations that give control over educational matters to any entity other than the State; requiring the State Board to take specified steps to rescind the State Board's adoption of the Common Core State Standards; etc.

EFFECTIVE JUNE 1, 2015

ED, §§ 2-205.1 and 4-111.4 - added and § 7-203(b)(2) - amended

Assigned to: Ways and Means

HB 35 Delegate Barkley**PUBLIC SERVICE COMMISSION – HEARING EXAMINERS – CHANGE OF JOB TITLE**

Changing the job title of “hearing examiners” of the Public Service Commission to “public utility law judges”.

EFFECTIVE OCTOBER 1, 2015

PU, Various Sections - amended

Assigned to: Economic Matters

HB 36 Delegate Schulz**PROCUREMENT – VETERAN-OWNED SMALL BUSINESS ENTERPRISES – PARTICIPATION GOAL**

Increasing the participation goal from 0.5% to 5% for specified veteran-owned business enterprises for specified procurement contracts.

EFFECTIVE OCTOBER 1, 2015

SF, § 14-602 - amended

Assigned to: Health and Government Operations

HB 37 Delegate Schulz**FREDERICK CENTER FOR RESEARCH AND EDUCATION IN SCIENCE AND TECHNOLOGY**

Altering the name of the Frederick Center for Research and Education in Science and Technology (CREST); altering the name of the Frederick Center for Research and Education in Science and Technology Governing Board; altering the powers and duties of the Board to require the Board to operate and exercise general control over Frederick CREST; authorizing the Board to fix the salaries and terms of employment of the Director and other employees of Frederick CREST; making the Act an emergency measure; etc.

EMERGENCY BILL

ED, §§ 24-1001, 24-1002, 24-1003(a), and 24-1004 - amended

Assigned to: Appropriations

HB 38 Delegate Schulz**CRIMES – USE OF A FIREARM IN THE COMMISSION OF A CRIME – DIMINUTION CREDITS AND SENTENCING**

Prohibiting the earning of diminution credits to reduce the term of confinement of an inmate committed to the custody of the Commissioner of Correction or sentenced to a term of imprisonment in a local correctional facility who is serving a sentence for the use of specified firearms in the commission of specified crimes; prohibiting a court from suspending any part of a specified mandatory minimum sentence; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2015

CS, §§ 3-702 and 11-502 and CR, § 4-204 - amended

Assigned to: Judiciary

HB 39 **Delegate Schulz**

**PUBLIC SAFETY – HANDGUN IDENTIFICATION REQUIREMENTS –
REPEAL**

Repealing a provision of law requiring specified firearms manufacturers and dealers and the Department of State Police to take specified actions relating to identification of handguns.

EFFECTIVE OCTOBER 1, 2015

PS, § 5-131 - repealed

Assigned to: Judiciary